

EXHIBIT 5

Expert Opinion

FILE 04-2018

**SUBJECT: THE OPINION OF THE DEFENSE OF MR. ROBERTO DAVID CASTILLO
MEJIA IS ISSUED**

**CRIMINAL TRIAL COURT WITH NATIONAL JURISDICTION (HONDURAS)
PERSONAL DELIVERY.-**

ENGINEER RUBEN EDUARDO CHAPA CABRERA, official expert in the areas of Information Technology and Telecommunications appointed by the Superior Court of Justice of the State of Nuevo León, Mexico, Registration 0436, Official Expert in Information Technology, Electronic Engineering and Systems Engineering Authorized by the Judicial Branch of the Federation (General Agreement 16/2011) registration 077-2018, acting in his capacity as Expert in Information Technology and Telecommunications duly accredited, on behalf of the defense of Mr. ROBERTO DAVID CASTILLO MEJIA in the case that is instructed against him for assuming his responsibility for the crime of assassination of Mrs. BERTHA ISABEL CACERES; I hereby present to you the following EXPERT OPINION IN INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS:

BACKGROUND

On October 12, 2018, I was duly sworn in as the expert proposed by Mr. ROBERTO DAVID CASTILLO's defense. Specifying the points and purpose of the opinion entrusted to me by this judicial body. Subsequently, on November 6, 2018, I appeared before this respectable authority in order to receive a full copy of the extension of the expert opinion referred to as "Analysis DIVINV DNII-004-2016 dated March 9, 2018, issued by the representative of the public prosecutor's office, as well as the information extraction information of mobile phones and electronic devices related to the case of the file in question 004-2016, as well as having at sight and available the material related to the facts of investigation, which were agreed by means of the sworn statement already mentioned. The expert advice was developed between November 10, 2018 and April 2, 2019.

PURPOSE OF THE EVIDENCE

- a) To perform analyzes of criminal links or absence of such links and analysis of communications interventions that the prosecutor has been carrying out

Confidential

- b) Analysis of the results of the extractions of cell phone information, information that at the time was provided by the telephone company TIGO, accumulating to this file, as well as all inputs filed to the order of this judicature derived from the obtaining of mobile phones, and other devices such as computers, laptops and others that were confiscated from BERTHA ISABEL CACERES, SERGIO RODRIGUEZ, DOUGLAS BUSTILLO AND ROBERTO DAVID CASTILLO MEJIA.

STUDY MATERIAL

- a) Full copy of the extension of the expert opinion referred to as Analysis DIVINV DNII-0004-2016 dated March 9, 2018 issued by the representative of the public prosecutor's office
- b) Report on the extraction of information from mobile phones and electronic devices known in the case against Mr. DAVID CASTILLO, for assuming his responsibility for the crime of assassination of Mrs. BERTHA ISABEL CÁCERES
- c) Material related to the facts of investigation, which were agreed by means of the sworn statement already mentioned

FACTS

In this analysis made with respect to the information extracts prepared by the prosecutor, at that time, seeking to know the status of the equipment in question attached to point 5.2 of the international standard ISO/IEC 27037, I searched in the file the logbook of digital evidence handling procedures to be able to carry out forensic computation studies to the equipment, like their forensic images of hard drives and/or removable memories, however, they were not found.

ISO/IEC 27037 is an international standard that provides a guideline for specific activities in the handling of potential digital evidence; These processes are: identification, collection, acquisition, and preservation of potential digital evidence. These processes are required in an investigation, which is designed to maintain the integrity of the digital evidence, an acceptable methodology in obtaining digital evidence, which will contribute to be admissible in legal and disciplinary actions as well as in other required instances. This international standard also provides a general guideline for the collection of non-digital evidence, which could be useful in the analysis stage of potential digital evidence.

Due to the fragility of digital evidence, it is necessary to use an acceptable methodology to ensure the integrity and authenticity of the potential digital evidence. This international standard does not require particular use or tools, but they must be updated.

This international standard provides a guideline for the following devices and/or functions, which are used in various circumstances:

- Digital storage media used in standard computers such as hard drives, floppy disks, optical disks and optical magnets, data devices with similar functions.
- Mobile phones, personal digital assistants (PDAs), personal electronic devices (PEDs), memory cards.
- Mobile navigation systems
- Video and digital cameras (including CCTV)
- Standard computers with network connections
- Networks based on TCP/IP and other digital protocols
- Devices with similar functions as those mentioned above

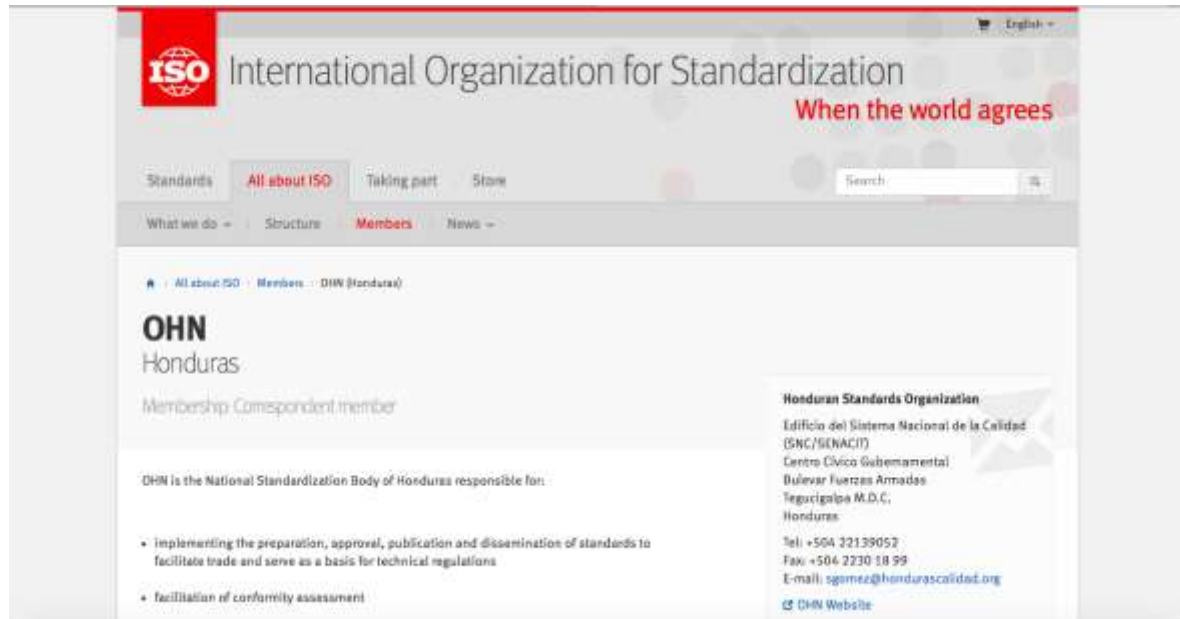
Practices recommended by ISO 27037 not observed in the processes carried out with the prosecutor's evidence management:

- In this case, we do not see a whole element of a digital forensic investigation that is a forensic image of the hard drives of the computer equipment, as well as no logs that indicate the initial (system) states of the telephone equipment at the time they accompany the practice.

In terms of information technology, the forensic image is a method of "faithful copying" used in computer investigations for the purpose of guaranteeing that the treatment of the information during the search and analysis does not alter the content in any way, from the time of the seizure until the time of the opinion and subsequent reports over time to preserve its integrity and thus bring it to the judicial body. Which means that said procedure may be repeatable, thus any expert of any party and/or a third arbitrator can establish the results irrefutably over time, because failure to perform this faithful copy, is voluntarily or involuntarily constituted in the manipulation of evidence, altering the result and leaving the content of the computer material adulterated and therefore unusable, since every result cannot contain an origin point.

- Another practice not observed is the use of a writing blocker, in order to ensure that the electronic elements or files contained in any type of electronic-digital device remains intact before involuntary errors, malicious software or intentional manipulation.

For this purpose, there is the international standard ISO 27037, which the country of Honduras recognizes, through the National Quality System (SNC/SENACIT) according to the publication of the body cited here and by consulting the internet link <https://www.iso.org/member/251461.html>



ISO, as per its acronym in English, means International Standards Organization

For the purpose of reviewing the certainty of the process adhering to the international standard ISO 27037 that governs this matter for the collection and study of digital evidence, the following is observed:

- 1) That there is no such application related to the opinions of extraction of telephone information made by the Technical Agency of Criminal Investigation (ATIC). Therefore, said acquisition procedure is out of standard since there is no procedure log for each object to which the extraction of information was made,
- 2) There are also no forensic images or copies, thus it is impossible to establish the initial state of the information, origin and irrefutable nature of conservation from the moment of seizure of the equipment until today,
- 3) We do not have the necessary elements to consider an appropriate packaging, such as protection against humidity, impacts, electric shock, vibration and magnetism. The 3 essential subjects as indicated by the international standard ISO/IEC 27037 that establishes the standards in information technology, such as security techniques and guidelines for the identification, collection, acquisition, and preservation of digital evidence.

METHODOLOGY

The required computer analysis of the means of evidence is carried out strictly in accordance with the international standard ISO/IEC 27037, which is an international treaty that establishes the security techniques, and a guide for the identification, collection, acquisition, and preservation of the digital evidence to be inspected.

The foregoing allows us to obtain reliable results from a single, undoubted source of information, and allow the study to be repeatable at any time without obtaining a different result when carried out by the same or different person.

This standard establishes in point 5.3 the requirements for the handling of the potential digital evidence, and point 5.3.1 is very clear in having the following points as objective:

- a) **Relevance:** it must be possible to demonstrate that the acquired material is relevant to the investigation, i.e. that it contains information of value to assist in the investigation of the particular incident and that there is a good reason why it was acquired. Through audit and justification, we should be able to describe the procedures followed and explain how the decision to acquire each item was made.
- b) **Reliability:** it means that all the processes of the potential digital evidence shall at all times be repeatable.
- c) **Sufficiency:** gather enough material that potentially serves as evidence.

Key aspects in the handling of digital tests

According to the aforementioned standard, there are four key aspects in the handling of digital tests: audit, justification and respectability or reproducibility depending on the particular circumstances.

Auditability: It should be possible for an independent assessor or other authorized stakeholders may evaluate the activities carried out by the computer analyst. This will be possible by adequately documenting all actions taken. In addition, the computer analyst must be able to justify the decision-making process when selecting a specific course of action. The processes performed by the computer analyst should be available for an independent evaluation to determine if an appropriate scientific method, technique or procedure was followed. (Point 5.3.2 of ISO/IEC 27037) This is an element with which the undersigned reviewed the information subject of the test.

Repeatability: it is established when the same results are produced under the following conditions:

- I. Using the same measurement procedure and method;
- II. Using the same instruments and under the same conditions; and
- III. It can be repeated at any time after the original test

A properly trained and experienced computer analyst should be able to perform all the processes described in the documentation and reach the same results, without guidance or interpretation. The computer analyst must be aware that there could be circumstances in which it would not be possible to repeat the study carried out, when an original hard disk has been copied and returned to use, or when an element involves volatile memory. In this case, the IT analyst must ensure that the acquisition process is reliable. To achieve respectability, the quality control and process documentation should be in place. (Point 5.3.3 of the standard of ISO/IEC 27037)

This is an element with which the undersigned reviewed the information subject of the test.

Reproducibility: is established when the same results are produced under the following conditions:

- I. Using the same measurement method;
- II. Using different instruments and under different conditions; and
- III. It can be played at any time after the original test.

(Point 5.3.4 of the standard of ISO/IEC 27037)

Justification: The IT analyst must be able to justify all the actions and methods used in the handling of the potential digital evidence.

The justification can be achieved by demonstrating that the decision was the best option to obtain all the potential digital evidence. It is highly recommended that the computer analyst has the experience, skills and competence to ensure that the correct processes and procedures are followed when handling potential digital evidence to ensure the eventual preservation of digital evidence that may have evidentiary value. (Point 5.3.5 of the standard of ISO/IEC 27037)

Other basic principles to which this rule refers, point 5.4 establishes the handling of digital evidence with regard to identification (5.4.2), collection (5.4.3), acquisition (5.4.4) and preservation (5.4.5). On the other hand, point 6 referring to chain of custody, which in summary establishes that the chain of custody record is a document that identifies the chronology of the movement and management of potential digital evidence. It must be instituted from the collection or acquisition process. This will typically be achieved by tracking the story of the item from the moment when it was identified, collected or acquired by the investigation team to the current status and location.

The chain of custody record is a document or series of related documents that details the chain of custody and records who was responsible for handling potential digital evidence, either in the form of digital data or other formats (such as paper notes). The purpose of maintaining a chain of custody record is to allow the identification of access and movement of potential digital evidence at any given time.

Having said that, given that the evidence had already been manipulated beforehand, I proceeded to analyze the information provided through the reports made as well as the extractions previously made for the study of the messages and information contained and compare it against the delivered opinion cited above.

To illustrate the foregoing, an evidence management problem is evident. To locate the judge, in file document No. DETECI-EX0801-2016-00167 of the File: 21-2016 located in the file in process F(48 to 51)

7/48

MINISTERIO PUBLICO

Agencia Tecnica de Investigación Criminal
A. T. I. C.

Departamento Tecnico Cientifico

DESCRIPCIÓN CLARA Y PRECISA DE LOS ELEMENTOS MATERIALES PROBATORIO Y EVIDENCIA FÍSICA EXAMINADOS

Evidencia #49

Celular Marca: **SAMSUNG**
 Modelo: **SM-G925I Galaxy S6 Edge**
 Color: **Dorado.**
 IMEI: **359030061328369.**
 Batería: **Integrada**
 Estado: **Funcional.**
 Observación: **protector de color dorado con negro.**

Evidencia #49.1

Numero: **Unknown**
 ICCID: **8950402515518855555**

6. HERRAMIENTAS UTILIZADAS

UFED CELLEBRITE: Se trata de una herramienta compuesta de hardware y software utilizado para la extracción de datos forenses en dispositivos móviles. El sistema UFED de CELLEBRITE es compatible con las tecnologías CDMA, GSM, IDEN y TDMA, así como con todos los operadores de telefonía celular incluidos teléfonos inteligentes, asistentes digitales personales (PDA).
 Cámara Digital Canon.

Computadora laptop marca DELL LATITUDE E5440

7. DESCRIPCIÓN CLARA Y PRECISA DE LOS PROCEDIMIENTOS UTILIZADOS DURANTE SU ACTIVIDAD TÉCNICO-CIENTÍFICA

Se verifico la integridad y el estado en general mediante la observación del embalaje, rotulo y cadena de custodia estado correcto y en buen estado.

1. Se tomó fotografías del contenido del embalaje, (Ver imagen en anexos.)
 2. Se tomó fotografías de los dispositivos telefónicos fuera del embalaje, (Ver imagen en anexos.)
 3. Se realizó el procedimiento de extracción por medio de la herramienta UFED, en donde se realizaron los siguientes pasos:

- Se identificó el modelo del dispositivo.
- Se realizó el procedimiento de extracción de información por medio de la herramienta UFED con el tipo de extracción de sistema de archivos, ya que dicho dispositivo se encuentra con patrón de bloqueo de seguridad.
- Se generó informe de extracción mismo que muestra el patrón de bloqueo de seguridad (1->2->3->4->5->6->9->8->7).
- Se realizó extracción de información usando el método de extracción lógica y de Sistema de archivos [Android Backup + APK downgrade].
- Se llevó a cabo el procedimiento de extracción de la tarjeta SIM ICCID 8950402515518855555.

RESULTADO GENERAL DE LA EXTRACCIÓN

Evidencia #49 Samsung SM-G925I Galaxy S6 Edge

Extracción de sistema de archivos:

Extracción de origen

Date/time extraction start	18/01/2017 06:46:35 p.m. (UTC-5)
Date/time extraction end	18/01/2017 06:58:58 p.m. (UTC-5)
Version of UFED	5.3.0.721
Version of UFED	4.3.11.731
Modelo de dispositivo	Samsung G925I
Nombre del dispositivo seleccionado	SM-G925I Galaxy S6 Edge
Tip de conexión	Cable USB
Tip de extracción	Sistema de archivos
ICCID de tarjeta SIM	CS448BSC-84AL-4CEB-615D-DBADG08A2474

Información de dispositivo

Modelo de dispositivo	SM-G925I
Version de UFED	5.3.0.721
Version de UFED	4.3.11.731
Modelo de dispositivo	Samsung G925I
Nombre del dispositivo seleccionado	SM-G925I Galaxy S6 Edge
Tip de conexión	Cable USB
Tip de extracción	Sistema de archivos
ICCID de tarjeta SIM	CS448BSC-84AL-4CEB-615D-DBADG08A2474

MINISTERIO PUBLICO
AGENCIA TECNICA DE INVESTIGACIÓN CRIMINAL
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Departamento Tecnico Cientifico

F(49)
1558
(578)

Contenido:

Tipo	Incluido en el sistema	Total
Aplicaciones instaladas	35	35
• Contactos	2	2
• Correo electrónico	26	26
• Correos de usuario	3	3
• Mensajes de texto	10	10
• Mensajes de voz	10	10
• Datos de aplicaciones	3535	3535
• Usuarios de dispositivos	50	50
• Documentos	1	1
• Archivos de audio	4117	4117
• Aplicaciones	15017	15017
• Base de datos	1	1
• Configuraciones	55	55
• Documentos	41	41
• Imágenes	14410	14410
• Sonidos	201	201
• Textos	340	340
• Videos	334	334
• Análisis de seguridad	415	415
• Análisis de llamadas	415	415

Extracción de Sistema de archivos [Android Backup + APK downgrade]:

Extracción de origen

Sistema de archivos	
Fecha y hora inicio de extracción	28/02/2017 07:19:25 p.m. (UTC-6)
Fecha y hora fin de extracción	28/02/2017 08:10:25 p.m. (UTC-6)
Versión de JFED	6.0.0.1010
Versión de origen	4.3.17.1010
Fabricante seleccionado	Samsung GSM
Nombre del dispositivo seleccionado	SM-G928I Galaxy S8 Edge
Tipo de conexión	Cable No. 100
Tipo de extracción	Sistema de archivos [Android Backup + APK downgrade]
ID de extracción	FA00000-D1E1-4FA8-A516-EC32C86580F6
Descripción del proceso de extracción	The application data was extracted using the previous version change method of the Android backup APK. Applications that could not be backed up were changed to an earlier version. The original versions of the device applications were restored at the end of the process.

Información dispositivo

Nombre	Valor
Sistema de archivos	
ID de Android	6C09808F063403d
IP de red local	10.241.98.42-26421 at 2016-04-29 05:18:30
IP de red de Internet	198.2.198.81-35421 at 2016-04-29 09:18:30
IP de red de Internet	192.168.10.98-26421 at 2016-04-29 09:47:39
IP de red de Internet	190.124.190.228-26421 at 2016-04-29 09:47:39
IP de red local	192.168.0.111-26421 at 2016-04-30 16:34:47
IP de red de Internet	190.124.18.228-26421 at 2016-04-30 16:34:47

From where emerges a version change of the operating system of the telephone mentioned in the images, which means changes from the initial state of the evidence collected by the authority.

On the other hand, when reviewing the different inputs with which this expert report was prepared, including the document referred to as preliminary official report: Analysis DIVINV DNII-0004-2016 from folio 723 to 751 of judicial file 04-2018, dated March 9, 2018 contained (which is attached in the image below), I find interpretations or value judgments exemplifying the following that specifically cites on page 14 folio 736 of said report

- **According to the Whatsapp messages extracted from said telephone device, the numbers 99900946 (Roberto Davis Castillo) and 99926503 (Sergio Rodriguez), the following is observed:**
 - On 10/29/2015, there is a group message which is sent by 99926503 (Sergio Rodríguez), indicating that they will take actions against Bertha and Tomas, which is copied by 99900946 (Roberto David Castillo).
 - After the event 03/03/2016, the numbers 99900946 (Roberto David Castillo) and 99926503 (Sergio Rodríguez), send messages to each other referring to the death of Bertha Cáceres and actions that have to be taken for said incident.

Opinion Extract Image folio 736

For this interpretation of the aforementioned opinion to make sense, it is observed that a conversation is presented in which I realize the following:

1.- That the messages are intentionally placed as they are, since there is no sequence of the registration identification number obtained from the same device, thus the tracking of the real historical line of the messages cannot be guaranteed for 2 reasons

- a) For not complying with the normative guarantees mentioned above
- b) For the lack of order in the numbers of identifiers in the supposed timeline for messages.

2.- In addition to the above, I find that the conversation attached on pages 14 to 16 (folio 736 to 738) of the same document mentioned, it is a context without possibility of existing because they come from messages taken from different conversations of two different message groups, mutilated in their original order and overlapped to form a new conversation and a supposed new context pretending to give another meaning to it.

To be more clear, there are 2 groups of the whatsapp application whose names and telephone numbers are indicated below.

Group name and subject	Telephone numbers that make it up	Number of members
Coordinación PHAZ Subject: coordinate operational actions related to the company DESA	<u>99926503</u> <u>94728319</u> 99557201 99821386 94508286 <u>99900946</u> <u>94570137</u> <u>96240728</u> 88700404 95840351 94559615	Members: 11 Repeated members in the same groups: 5 (underlined in yellow)
Seguridad PHAZ Subject: address situations to take care of incidents related to the company DESA	<u>99926503</u> <u>94528319</u> 32787416 96002743 <u>99900946</u> 33924868 <u>94570137</u> <u>96240728</u> 34620191343 94645441	Members: 10 Repeated members in the same groups: 5 (underlined in yellow)

Once the different groups have been explained, the identification numbers in order of appearance or not, of conversation assembled with data messages, are listed in the image below, coming from different groups of messages in a specific order of appearance and chosen to give a different meaning to the real conversations:

#	Type	Timestamp	Party	Description
16520	Instant messages	29/10/2015 09:59:58 p.m.(UTC+0)	From: 50499926503@s.whatsa pp.net Sergio Rodríguez To: 50494528319@s.whatsa pp.net 50496240728@s.whatsa pp.net 50499900946@s.whatsa pp.net David Castillo 50496002743@s.whatsa pp.net	It is evident that while Thomas or Berta are absent, the movement weakens and there is not many people. So it is against them that we must also take actions.
16532	Instant messages	30/10/2015 03:58:55 a.m.(UTC+0)	From: 50499900946@s.whatsa pp.net David Castillo	Copied
30842	Instant messages	03/03/2016 11:41:50 a.m.(UTC+0)	From: 50499900946@s.whatsa pp.net David Castillo	Sergio just called to report it
30843	Instant messages	03/03/2016 11:42:07 a.m.(UTC+0)	From: 50499900946@s.whatsa pp.net David Castillo	We must coordinate communications and security
30847	Instant messages	03/03/2016 11:44:30 a.m.(UTC+0)	From: 50499900946@s.whatsa pp.net David Castillo	Yes, I will prepare an email
30857	Instant messages	03/03/2016 11:49:30 a.m.(UTC+0)	From: 50499900946@s.whatsa pp.net David Castillo	We have to coordinate security and communications immediately. For us it is a crisis and we have to be prepared for what's coming.
30901	Instant messages	03/03/2016 12:07:54 p.m.(UTC+0)	From: 50499900946@s.whatsa pp.net David Castillo	We have to meet as soon as possible, the communications teams.

CHAT SEGURIDAD
PHAZCHAT SEGURIDAD
PHAZCHAT
COORDINACIONCHAT
COORDINACIONCHAT
COORDINACIONCHAT SEGURIDAD
PHAZCHAT SEGURIDAD
PHAZMessages
omitted about
news in media

CHAT
SEGURIDA
D PHAZ

30902	Instant messages	03/03/2016 12:08:21 p.m.(UTC+0)	From: 50499900946@s.whatsa pp.net David Castillo	What time is Mr. J available?
30907	Instant messages	03/03/2016 12:15:19 p.m.(UTC+0)	From: 50499900946@s.whatsa pp.net David Castillo	Sergio, I think you should go back to the office to coordinate communications
30927	Instant messages	03/03/2016 12:41:51 p.m.(UTC+0)	From: 50499900946@s.whatsa pp.net David Castillo	I already sent an email to the bank
30940	Instant messages	03/03/2016 12:57:28 p.m.(UTC+0)	From: 50499900946@s.whatsa pp.net David Castillo	I will convene it right now
30951	Instant messages	03/03/2016 01:18:19 p.m.(UTC+0)	From: 50499900946@s.whatsa pp.net David Castillo	I' am already arriving at DESA
30956	Instant messages	03/03/2016 01:22:07 p.m.(UTC+0)	From: 50499900946@s.whatsa pp.net David Castillo	Already in the office
30959	Instant messages	03/03/2016 01:33:41 p.m.(UTC+0)	From: 50499900946@s.whatsa pp.net David Castillo	We need to coordinate with Jorge Avila
30961	Instant messages	03/03/2016 01:33:51 p.m.(UTC+0)	From: 50499900946@s.whatsa pp.net David Castillo	Security at the site
30963	Instant messages	03/03/2016 01:37:31 p.m.(UTC+0)	From: 50499900946@s.whatsa pp.net David Castillo	Instructions for the "Mayor" is to redouble security at all fronts of the work, coordinate with the National Police
30964	Instant messages	03/03/2016 01:38:10 p.m.(UTC+0)	From: 50499900946@s.whatsa pp.net David Castillo	To protect the surrounding communities and project sites

Messages
omitted

31278	Instant messages	04/03/2016 03:14:16 a.m.(UTC+0)	From: 50499900946@s.whatsa pp.net David Castillo	At TN5 it was the same accusations of the afternoon
31562	Instant messages	05/03/2016 03:29:30 a.m.(UTC+0)	From: 50499900946@s.whatsa pp.net David Castillo	Yes, it is at TN5 right now
31564	Instant messages	05/03/2016 03:29:52 a.m.(UTC+0)	From: 50499900946@s.whatsa pp.net David Castillo	But don't be based on this denunciation
31570	Instant messages	05/03/2016 03:37:29 a.m.(UTC+0)	From: 50499900946@s.whatsa pp.net David Castillo	We all have to meet before that event, plan strategies, release information as soon as possible
31572	Instant messages	05/03/2016 03:38:20 a.m.(UTC+0)	From: 50499900946@s.whatsa pp.net David Castillo	Our communication
31575	Instant messages	05/03/2016 03:39:38 a.m.(UTC+0)	From: 50499900946@s.whatsa pp.net David Castillo	Modify the communication, but I don't think we should continue waiting for the government
31583	Instant messages	05/03/2016 03:40:43 a.m.(UTC+0)	From: 50499900946@s.whatsa pp.net David Castillo	See you tomorrow at 08:00 to unify criteria
31668	Instant messages	05/03/2016 01:53:26 p.m.(UTC+0)	From: 50499900946@s.whatsa pp.net David Castillo	Good morning, Roque.

31671	Instant messages	05/03/2016 01:54:09 p.m.(UTC+0)	From: 50499900946@s.whatsa pp.net David Castillo	I'll just buy coffee and snacks and I'll be there
31680	Instant messages	05/03/2016 02:35:21 p.m.(UTC+0)	From: 50499900946@s.whatsa pp.net David Castillo	The investigation is being complicated because the interference of the Copinh
31685	Instant messages	05/03/2016 02:38:02 p.m.(UTC+0)	From: 50499900946@s.whatsa pp.net David Castillo	It seems that all they want and expect is that the criminals are linked to the government and companies and strengthen their fight and make noise internationally
31776	Instant messages	06/03/2016 02:03:51 a.m.(UTC+0)	From: 50499900946@s.whatsa pp.net David Castillo	https://lcoolivera.wordpress.com/2016/03/04/v-aya-que-casualidad/
31785	Instant messages	06/03/2016 02:13:03 a.m.(UTC+0)	From: 50499900946@s.whatsa pp.net David Castillo	Mr. Jesus, we ask you to give a little visibility to the news
31804	Instant messages	06/03/2016 03:05:55 a.m.(UTC+0)	From: 50499900946@s.whatsa pp.net David Castillo	Salvador Zuniga I assume
31897	Instant messages	06/03/2016 02:58:10 p.m.(UTC+0)	From: 50499900946@s.whatsa pp.net David Castillo	The news was released today by the written media. Yesterday, at the committee meeting we saw the comment of the vehicle following a statement from the daughter. This is because on Wednesday Tomas and Sotero saw Sergio in the vehicle when he came from the project. Maybe they told the daughter so she will accuse us directly.

The messages before the message shown of the previous number of the identifier 16520 of the Seguridad Phaz chat and that do not appear in the aforementioned opinion:

From: From: 50494528319@s.whatsapp.net
Timestamp: 29/10/2015 02:56:15 p.m.(UTC+0)
Source application: WhatsApp
Content:
This was reported to me at 07:30 hours, by supervisor Pacheco:

"Mayor', in the area of the booths of the copines, there are 2 teenagers and Pancho Javier shot 3 times with a firearm."

From: From: 50494528319@s.whatsapp.net
Timestamp: 29/10/2015 07:33:33 p.m.(UTC+0)
Source application: WhatsApp
Content:
Good afternoon, Gentlemen, I am in Tegucigalpa, this was reported to me at 11:20 am, by supervisor Pacheco:
"There are 5 men among them, they are Pancho Javier Clementino Gonzales, Armando Pineda and there are two others who are inside the booths and two teenagers who are fishing, the river is still grown and it's not raining, it's just that it's dull and it's possible that it will rain."

From: From: 50494528319@s.whatsapp.net
Timestamp: 29/10/2015 09:51:03 p.m.(UTC+0)
Source application: WhatsApp
Content:
Good afternoon gentleman:
It was reported to me at 3:36 PM, by supervisor Pacheco:

"Mayor', we are without news, there were 8 Copines and 4 already left."

From: From: 50494528319@s.whatsapp.net
Timestamp: 29/10/2015 09:52:48 p.m.(UTC+0)
Source application: WhatsApp
Content:
Good afternoon gentleman:
It was reported to me at 3:43 pm, by supervisor Pacheco:

"TWO MORE ALREADY LEFT, IT'S JUST PANCHO JAVIER WITH ANOTHER MAN."

From: To: 50499926503@s.whatsapp.net Sergio Rodríguez
Timestamp: 29/10/2015 09:57:53 p.m.(UTC+0)
Source application: WhatsApp
Content:
The information we have is that if people do not come from the village later, Francisco Javier leaves the site as well.

And in the correct order of the events recorded according to the logs, the subsequent messages would be the following and taken from the same opinion in question:

16520	Instant messages	29/10/2015 09:59:58 p.m.(UTC+0)	From: 50499926503@s.whatsa pp.net Sergio Rodríguez To: 50494528319@s.whatsa pp.net 50496240728@s.whatsa pp.net 50499900946@s.whatsa pp.net David Castillo 50496002743@s.whatsa pp.net	It is evident that while Thomas or Berta are absent, the movement weakens and there is not many people. So it is against them that we must also take actions.
16532	Instant messages	30/10/2015 03:58:55 a.m.(UTC+0)	From: 50499900946@s.whatsa pp.net David Castillo	Copied

Where the conversations clearly indicate that the actions are related to the previous conversations about mobilizations and gunshots reported.

After the messages indicated above, messages are found from the telephone number 50499900946 David Castillo and within the group of WhatsApp message conversations named Seguridad Phaz, which give the meaning of the type of actions to be taken, being only legal acts:

From: From: 50499900946@s.whatsapp.net David Castillo
Timestamp: 09/11/2015 11:46:25 p.m.(UTC+0)
Source application: WhatsApp

Content:

There is the contact of the attorney Jerezano, criminal lawyer of Santa Bárbara

From: From: 50499900946@s.whatsapp.net David Castillo
Timestamp: 09/11/2015 11:46:49 p.m.(UTC+0)
Source application: WhatsApp

Content:

To follow up on the accusations that must be filed of the Copinh

From: From: 50499900946@s.whatsapp.net David Castillo
Timestamp: 09/11/2015 11:46:55 p.m.(UTC+0)

Source application: WhatsApp

Content:

All types of complaints

The messages before the message shown of the previous number of the message identifier 30842 of the Coordinación Phaz chat about previous news and that do not appear in the aforementioned opinion:

From: From: 50499821386@s.whatsapp.net

Timestamp: 03/03/2016 11:37:44 a.m.(UTC+0)

Source application: WhatsApp

Attachments:

#1: chats\WhatsApp\attachments149\IMG-20160303-WA0001.jpg



NEWS: We share with you this news due to the link between it and the construction of the hydroelectric project “Agua Zarca” and our municipality and indigenous fight.

Through our site, we have promoted the development of our communities, starting with cultural respect and sustainable development.

On this occasion, we are mourning the assassination of the leader Berta Cánceres.



Content:

 From: From: 50499557201@s.whatsapp.net
 Timestamp: 03/03/2016 11:38:49 a.m.(UTC+0)
 Source application: WhatsApp
 Content:
What!

 From: From: 50499557201@s.whatsapp.net
 Timestamp: 03/03/2016 11:38:59 a.m.(UTC+0)
 Source application: WhatsApp
 Content:

What a news!

 From: From: 50494570137@s.whatsapp.net
 Timestamp: 03/03/2016 11:39:43 a.m.(UTC+0)
 Source application: WhatsApp
 Content:

Reported

 From: To: 50499926503@s.whatsapp.net Sergio Rodríguez
 Timestamp: 03/03/2016 11:40:20 a.m.(UTC+0)
 Source application: WhatsApp
 Content:

The news are in hch

From: From: 50499900946@s.whatsapp.net David Castillo
 Timestamp: 03/03/2016 11:41:50 a.m.(UTC+0)
 Source application: WhatsApp
 Content:

Sergio just called to report it

 From: From: 50499900946@s.whatsapp.net David Castillo
 Timestamp: 03/03/2016 11:42:07 a.m.(UTC+0)
 Source application: WhatsApp
 Content:

We must coordinate communications and security

 To subsequently have the subsequent messages of the same incomplete chat in the preliminary official report Analysis DIVINV DNII-0004-2016, with the correct ones as follows:

From: From: 50494528319@s.whatsapp.net
 Timestamp: 03/03/2016 11:42:44 a.m.(UTC+0)
 Source application: WhatsApp
 Content:
 Good morning gentlemen:

Officer Turcios called me and sent me this message:

I'm sorry to inform you that they murdered Mrs. Berta Caseres this morning in the Esperanza Intibuca Z

 From: To: 50499926503@s.whatsapp.net Sergio Rodríguez
 Timestamp: 03/03/2016 11:43:46 a.m.(UTC+0)
 Source application: WhatsApp
 Content:

David, we must inform the bank

 From: From: 50499900946@s.whatsapp.net David Castillo
 Timestamp: 03/03/2016 11:44:30 a.m.(UTC+0)
 Source application: WhatsApp
 Content:

Yes, I will prepare an email

 From: From: 50494570137@s.whatsapp.net
 Timestamp: 03/03/2016 11:49:58 a.m.(UTC+0)
 Source application: WhatsApp
 Content:

The one of HCH did not mention it anymore.

 From: From: 50499821386@s.whatsapp.net
 Timestamp: 03/03/2016 11:57:21 a.m.(UTC+0)
 Source application: WhatsApp
 Content:

In the morning news cycle you cannot do much. But from noon and later, the incident must not be related to our activity. This is now the work of the communication team.

 From: From: 50499821386@s.whatsapp.net
 Timestamp: 03/03/2016 12:17:56 p.m.(UTC+0)
 Source application: WhatsApp
 Content:

Our social media team will limit its action waiting for the definition of discursive line and strategy to follow.

 From: From: 50499900946@s.whatsapp.net David Castillo
 Timestamp: 16/03/2016 12:01:18 a.m.(UTC+0)
 Source application: WhatsApp
 Content:

WARNING Murder of one more COPINH partner!!!
 WARNING PARTNERS, NELSON GARCÍA, FATHER TO 5 CHILDREN, FROM 35 TO 38 YEARS OLD APPROXIMATELY, FROM RÍO LINDO CORTES, HAS BEEN MURDERED THIS AFTERNOON, OUR PARTNER RECEIVED 4 GUNSHOTS IN HIS FACE. IN A VIOLENT EVICTION BY THE MILITARY POLICE AND COBRAS. LET'S ASK FOR NATIONAL AND INTERNATIONAL SOLIDARITY. FOR HOW MUCH LONGER WILL WE CONTINUE SUFFERING MORE MURDERS OF THOSE WHO FIGHT FOR A MORE FAIR WORLD, FOR THE RIGHT TO THE LAND, FOR A DIGNIFIED ROOF, FOR A DIGNIFIED WORK AND WITHOUT EXPLOITATION. IT'S ENOUGH, NO MORE EXTERMINATION OF INDIGENOUS, BLACKS AND FARMER PEOPLES. It is also reported that Sotero Chavarria and Selvin Milla, members of the COPINH General Coordination are being threatened with being captured by members of the police. Sotero and Selvin are helping the wounded and those affected by the eviction.

AUDIO HERE

Share

From: From: 50499900946@s.whatsapp.net David Castillo

Timestamp: 16/03/2016 12:01:23 a.m.(UTC+0)

Source application: WhatsApp

Content:

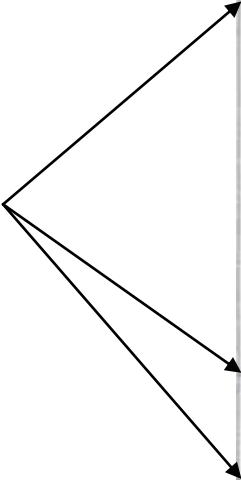
PSI

The context clearly denotes that they talk about news in a local media hch. And that an email will be prepared for the bank, as well as other events or news related to members of COPINH.

While with the messages cut, the partial communication established in the opinion DIVINV DNII-004-2016 dated March 9, 2018, folios 723 to 751, it would be as follows:

30842	Instant messages	03/03/2016 11:41:50 a.m.(UTC+0)	From: 50499900946@s.whatsa pp.net David Castillo	Sergio just called to report it
30843	Instant messages	03/03/2016 11:42:07 a.m.(UTC+0)	From: 50499900946@s.whatsa pp.net David Castillo	We have to coordinate communications and security
30847	Instant messages	03/03/2016 11:44:30 a.m.(UTC+0)	From: 50499900946@s.whatsa pp.net David Castillo	Yes, I will prepare an email

I point out below the consecutive break that results in the uncertainty of the meaning of the conversations:

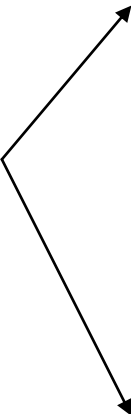


#	Type	Timestamp	Party	Description
16520	Instant messages	29/10/2015 09:59:58 p.m.(UTC+0)	From: 50499926503@s.whatsa pp.net Sergio Rodríguez To: 50494528319@s.whatsa pp.net 50496240728@s.whatsa pp.net 50499900946@s.whatsa pp.net David Castillo 50496002743@s.whatsa pp.net	It is evident that while Thomas or Berta are absent, the movement weakens and there is not many people. So it is against them that we must also take actions.
16532	Instant messages	30/10/2015 03:58:55 a.m.(UTC+0)	From: 50499900946@s.whatsa pp.net David Castillo	Copied
30842	Instant messages	03/03/2016 11:41:50 a.m.(UTC+0)	From: 50499900946@s.whatsa pp.net David Castillo	Sergio just called to report it
30843	Instant messages	03/03/2016 11:42:07 a.m.(UTC+0)	From: 50499900946@s.whatsa pp.net David Castillo	We have to coordinate communications and security
30847	Instant messages	03/03/2016 11:44:30 a.m.(UTC+0)	From: 50499900946@s.whatsa pp.net David Castillo	Yes, I will prepare an email.
30857	Instant messages	03/03/2016 11:49:30 a.m.(UTC+0)	From: 50499900946@s.whatsa pp.net David Castillo	We have to coordinate security and communications immediately. For us it is a crisis and we have to be prepared for what's coming.
30901	Instant messages	03/03/2016 12:07:54 p.m.(UTC+0)	From: 50499900946@s.whatsa pp.net David Castillo	We have to meet as soon as possible, the communications teams.

Another issue related to the same point is that the messages in all their context and in their original conversation, nowhere in the conversation establish anything that indicates or could be assumed as the planning of the death of Mrs. Bertha Cáceres.

Within the opinion DETECI EX 0801-2016-00166, corresponding to the telephone device LG-D805G2 confiscated from Mr. Douglas Bustillo, we find the same problems as before, however, it is possible to perceive this sequential order and then such order breaks for the reasons explained above, i.e. there is no logical sequence in the order or arrangement of the messages as showed, by way of illustration in the extract below:

#	Type	Timestamp	Party	Description
539	Reg. Calls	16/11/2015 12:05:16 a.m.(UTC+0)	From: +50499900946 David	
540	Reg. Calls	16/11/2015 12:06:19 a.m.(UTC+0)	From: +50499900946 David	
548	Reg. Calls	16/11/2015 12:58:49 a.m.(UTC+0)	From: +50499900946 David	
620	Instant messages	22/11/2015 05:50:38 p.m.(UTC+0)	To: 50499900946@cs.whatsa pp.net David	Good morning Mr. Castillo, I completed 50%
622	Instant messages	22/11/2015 05:55:51 p.m.(UTC+0)	From: 50499900946@cs.whatsa pp.net David	615pm
623	Instant messages	22/11/2015 05:55:51 p.m.(UTC+0)	From: 50499900946@cs.whatsa pp.net David	On the 30 th , let's meet at (illegible)



624	Instant messages	22/11/2015 06:02:15 p.m.(UTC+0)	To: 50499900946@s.whatsa pp.net David	Which of the 2 times is real?
625	Instant messages	22/11/2015 06:03:07 p.m.(UTC+0)	To: 50499900946@s.whatsa pp.net David	6:15 Or In 30 minutes
626	Instant messages	22/11/2015 06:16:52 p.m.(UTC+0)	From: 50499900946@s.whatsa pp.net David	Bustillo, get to work
627	Instant messages	22/11/2015 06:17:09 p.m.(UTC+0)	From: 50499900946@s.whatsa pp.net David	No parties
628	Instant messages	22/11/2015 06:17:44 p.m.(UTC+0)	To: 50499900946@s.whatsa pp.net David	And have everything prepared, because it may occur at this moment.
629	Instant messages	22/11/2015 06:18:16 p.m.(UTC+0)	To: 50499900946@s.whatsa pp.net David	During this day
865	Reg. Calls	07/12/2015 12:33:24 a.m.(UTC+0)	To: 50499900946@s.whatsa pp.net David	
1285	Reg. Calls	05/01/2016 08:49:06 p.m.(UTC+0)	From: +50499900946 David	
1792	Reg. Calls	21/01/2016 10:15:33 p.m.(UTC+0)	To: 99900946 David	
2657	Instant messages	06/02/2016 02:58:51 a.m.(UTC+0)	From: 50499900946@s.whatsa pp.net David	Remember the accidents and the scene
2693	Instant messages	06/02/2016 03:17:15 p.m.(UTC+0)	To: 50499900946@s.whatsa pp.net David	Mission aborted today It wasn't possible yesterday I will wait for your instructions, because I have no logistics, I've got nothing.

Of the whole conversation even without the proper order, when discovering the difference in dates before and after the facts investigated (March 3, 2016), a link with the facts or preparatory means that suggest the planning of the commission of a crime cannot be established.

In the same aforementioned document, in section VI, which mentions on page 21 folio 743 the origin of the image attached of the extract under analysis below:

VI. Chronological data of the information found in number 99900946 (David Castillo) and the numbers 98426844 (Douglas Butillo, and 99926503 (Sergio Rodríguez) with other suspects, 97755627 (Henry Hernández), 97267794 (Henry Hernández), 33281417 (Mariano Díaz Chávez). On the dates 10/29/2015, 11/22/2015, 05 and 06/2016, (date on which an attack against Mrs. Betha Cáceres was planned).

Opinion Image Extract folio 736

The value judgment clearly establishes an attempt to carry out an attack against Mrs. Bertha Cáceres related to the telephone numbers associated with different people, including Mr. David Castillo.

Of this section, it is not possible to observe information that allows us to establish the planning or intention of carrying out an attack against Mrs. Bertha Cáceres or of any person or attack, since it does not establish which of the points mentions the name or the supposed act to be committed, likewise it follows the same situation described above, nor is there a linking of messages between Mr. David Castillo (99900946) and Messrs. Herny Javier Hernández (97755627) and Mariano Díaz Chavez (33281417).

Regarding the voice recording, there are no studies with the computer tools that allow us to verify the frequencies, the graphic way of representing a sound has been defined as spectrum. The characteristics of the voice are represented by spectra and, therefore, it can be drawn at more open or more closed wavelengths, or, with greater or lesser amplitude. With the above, a scientific analysis can be performed to quantify and analyze both the tone and the intensity of the voice and other equipment with which it is possible to measure the formants that allow us to identify the timbre.

From the above, the voice recording would be obtained through a real-time spectrograph, a high-speed two-channel analyzer and a computer-based data capture system. This equipment produces spectrograms (history in the spectrum time), variable length, waveform, amplitude variations graphs, analysis and synthesis (for voice), and other forms of deployment for analysis in a fast and clear way, i.e. we will obtain the vocal spectrum with which the comparative studies can be carried out, between the vocal spectrum of the digital voice recording of the witness.

Evidence of Threats according to the data messages analyzed

On the other hand, regarding the extracts of the data of messages between the number 50499110085 associated with Bertha Cáceres and the telephone number 41786531266 associated with the contact Yanik Sansonnens, messages were found in the report, which are shown below, which clearly indicate that they talk about mining projects where there are serious threats (see line 31 and 32):


Case Information**Workspace 2 - Timeline (42)****Workspace 2Timeline (42)**

Investigator name	Vodde, Shaun (US-DC)
Case number	C2025234
Case name	Niagara
Analytics version	7.0.0.3

#	Type	Time	Parties	Origin	Description	Device owner
1	Chat message	3/2/2016 2:29:15 AM (UTC+0)	From: 41786531266@s.whatsapp p.net, WhatsApp (! Yanik Sansonnens) (assumed): 50499110085@s.whatsapp p.net, WhatsApp (! Berta Cáceres)	WhatsApp	Good night. How are you? I'm Yanik, the Swiss journalist. Could you take pictures of the damage there in your apartment?	! Berta Cáceres
2	Chat message	3/2/2016 2:29:15 AM (UTC+0)	From: 41786531266@s.whatsapp p.net, WhatsApp (! Yanik Sansonnens)	WhatsApp	Good night. How are you? I'm Yanik, the Swiss journalist. Could you take pictures of the damage there in your apartment?	! Berta Cáceres
3	Chat message	3/2/2016 2:40:19 AM (UTC+0)	From: 41786531266@s.whatsapp p.net, WhatsApp (! Yanik Sansonnens) (assumed): 50499110085@s.whatsapp p.net, WhatsApp (! Berta Cáceres)	WhatsApp	I can come this Friday or Saturday. It depends on another appointment. I'm still waiting for an answer. I'll let you know on Thursday, is it okay?	! Berta Cáceres
4	Chat message	3/2/2016 2:40:19 AM (UTC+0)	From: 41786531266@s.whatsapp p.net, WhatsApp (! Yanik Sansonnens)	WhatsApp	I can come this Friday or Saturday. It depends on another appointment. I'm still waiting for an answer. I'll let you know on Thursday, is it okay?	! Berta Cáceres
5	Chat message	3/2/2016 6:07:53 PM (UTC+0)	From: 41786531266@s.whatsapp p.net, WhatsApp (! Yanik Sansonnens) (assumed): 50499110085@s.whatsapp p.net,	WhatsApp?		! Berta Cáceres

			WhatsApp (! Berta Caceres)			
6	Chat message	3/2/2016 6:54:27 PM (UTC+0)	From: 50499110085@s.whatsapp p.net, WhatsApp (! Berta Caceres) To: 41786531266@s.whatsapp p.net, WhatsApp (! Yanik Sansonnens)	WhatsApp	On March 5 or 6, how is your time?	! Berta Caceres
7	Chat message	3/2/2016 6:54:39 PM (UTC+0)	From: 50499110085@s.whatsapp p.net, WhatsApp (! Berta Caceres) To: 41786531266@s.whatsapp p.net, WhatsApp (! Yanik Sansonnens)	WhatsApp	??	! Berta Caceres
8	Chat message	3/2/2016 6:56:27 PM (UTC+0)	From: 50499110085@s.whatsapp p.net, WhatsApp (! Berta Caceres) To:	WhatsApp	We have days of analysis and work in the 2 areas that have disputes	! Berta Caceres

1

						
			41786531266@s.whatsapp p.net, WhatsApp (! Yanik Sansonnens)			
9	Chat message	3/2/2016 6:56:42 PM (UTC+0)	From: 50499110085@s.whatsapp p.net, WhatsApp (! Berta Caceres) To: 41786531266@s.whatsapp p.net, WhatsApp (! Yanik Sansonnens)	WhatsApp	Including Río Blanco	! Berta Caceres
10	Chat message	3/2/2016 6:57:01 PM (UTC+0)	From: 50499110085@s.whatsapp p.net, WhatsApp (! Berta Caceres) To: 41786531266@s.whatsapp p.net, WhatsApp (! Yanik Sansonnens)	WhatsApp	Fight against the Agua Zarca hydroelectric project	! Berta Caceres
11	Chat message	3/2/2016 7:01:26 PM (UTC+0)	From: 41786531266@s.whatsapp p.net, WhatsApp (! Yanik Sansonnens) (assumed): 50499110085@s.whatsapp p.net, WhatsApp (! Berta Caceres)	WhatsApp	On March 4 or 5. Can it be? It would be good to also talk about your fight against the hydroelectric project. But my article deals with the environmental damage caused by the mining projects. Is there mining exploitation in your department?	! Berta Caceres
12	Chat message	3/2/2016 9:04:54 PM	From: 41786531266@s.whatsapp p.net, WhatsApp (! Yanik	WhatsApp	What do you think?	! Berta Caceres


		(UTC+0)	Sansonns) (assumed): 50499110085@s.whatsap p.net, WhatsApp (! Berta Caceres)			
13	Chat message	3/2/2016 10:42:05 PM (UTC+0)	From: 50499110085@s.whatsap p.net, WhatsApp (! Berta Caceres) To: 41786531266@s.whatsap p.net, WhatsApp (! Yanik Sansonns)	WhatsApp	They are already scheduled	! Berta Caceres
14	Chat message	3/2/2016 10:43:16 PM (UTC+0)	From: 50499110085@s.whatsap p.net, WhatsApp (! Berta Caceres) To: 41786531266@s.whatsap p.net, WhatsApp (! Yanik Sansonns)	WhatsApp	Maybe if you explain me your interest further, what do you need or what is useful for you the most?	! Berta Caceres
15	Chat message	3/2/2016 10:58:30 PM (UTC+0)	From: 41786531266@s.whatsap p.net, WhatsApp (! Yanik Sansonns) (assumed): 50499110085@s.whatsap p.net, WhatsApp (! Berta Caceres)	WhatsApp	I'm working on a report on the environmental damage caused by mining and the impacts on the population. I would like to interview people who can talk to me about this topic and also take pictures to illustrate the article.	! Berta Caceres
16	Chat message	3/2/2016 11:19:51 PM (UTC+0)	From: 50499110085@s.whatsap p.net, WhatsApp (! Berta Caceres) To: 41786531266@s.whatsap p.net, WhatsApp (! Yanik Sansonns)	WhatsApp	Then I'll give you the contact information of a Canadian partner... You may know her already, Karen Spring	! Berta Caceres
17	Chat message	3/2/2016 11:20:24 PM (UTC+0)	From: 50499110085@s.whatsap p.net, WhatsApp (! Berta Caceres)	WhatsApp	She is working hard on the mining issue and accompanies communities in this fight	! Berta Caceres


2



			To: 41786531266@s.whatsapp.net, WhatsApp (! Yanik Sansonnens)			
18	Chat message	3/2/2016 11:21:14 PM (UTC+0)	From: 50499110085@s.whatsapp.net, WhatsApp (! Berta Caceres) To: 41786531266@s.whatsapp.net, WhatsApp (! Yanik Sansonnens)	WhatsApp	9507-3835 Karen	! Berta Caceres
19	Chat message	3/2/2016 11:24:38 PM (UTC+0)	From: 50499110085@s.whatsapp.net, WhatsApp (! Berta Caceres) To: 41786531266@s.whatsapp.net, WhatsApp (! Yanik Sansonnens)	WhatsApp	She knows communities in Copán affected by mining	! Berta Caceres
20	Chat message	3/2/2016 11:24:47 PM (UTC+0)	From: 50499110085@s.whatsapp.net, WhatsApp (! Berta Caceres) To: 41786531266@s.whatsapp.net, WhatsApp (! Yanik Sansonnens)	WhatsApp	There are community fights	! Berta Caceres
21	Chat message	3/2/2016 11:25:02 PM (UTC+0)	From: 41786531266@s.whatsapp.net, WhatsApp (! Yanik Sansonnens) (assumed): 50499110085@s.whatsapp p.net, WhatsApp (! Berta Caceres)	WhatsApp	Thank you. Where does Karen Spring live?	! Berta Caceres
22	Chat message	3/2/2016 11:25:17 PM (UTC+0)	From: 50499110085@s.whatsapp.net, WhatsApp (! Berta Caceres) To: 41786531266@s.whatsapp p.net, WhatsApp (! Yanik Sansonnens)	WhatsApp	In that area of the West, you can produce audiovisual material because there are damages already	! Berta Caceres
23	Chat message	3/2/2016 11:25:22 PM (UTC+0)	From: 50499110085@s.whatsapp.net, WhatsApp (! Berta Caceres) To: 41786531266@s.whatsapp p.net, WhatsApp (! Yanik Sansonnens)	WhatsApp	In Tegucigalpa	! Berta Caceres
24	Chat message	3/2/2016 11:26:18 PM (UTC+0)	From: 50499110085@s.whatsapp.net, WhatsApp (! Berta Caceres) To: 41786531266@s.whatsapp p.net, WhatsApp (! Yanik Sansonnens)	WhatsApp	Anyway, if you want to come here to La Esperanza, we are willing to talk about the mining and energy issue	! Berta Caceres
25	Chat message	3/2/2016 11:39:43 PM (UTC+0)	From: 41786531266@s.whatsapp p.net, WhatsApp (! Yanik Sansonnens) (assumed): 50499110085@s.whatsapp p.net, WhatsApp (! Berta Caceres)	WhatsApp	Thanks Berta. You are very kind.	! Berta Caceres
26	Chat message	3/2/2016 11:41:07 PM (UTC+0)	From: 41786531266@s.whatsapp p.net, WhatsApp (! Yanik Sansonnens)	WhatsApp	So, you think it's better to talk to Karen? You do not know this topic well? Could I take photos of the damages in your apartment?	! Berta Caceres


3

						
			Sansonnens) (assumed): 50499110085@s.whatsapp p.net, WhatsApp (! Berta Caceres)			
27	Chat message	3/2/2016 11:49:39 PM (UTC+0)	From: 41786531266@s.whatsapp p.net, WhatsApp (! Yanik Sansonnens) (assumed): 50499110085@s.whatsapp p.net, WhatsApp (! Berta Caceres)	WhatsApp	All right. So, you know the subject well.	! Berta Caceres
28	Chat message	3/2/2016 11:50:25 PM (UTC+0)	From: 41786531266@s.whatsapp p.net, WhatsApp (! Yanik Sansonnens) (assumed): 50499110085@s.whatsapp p.net, WhatsApp (! Berta Caceres)	WhatsApp	And the pictures? Could I take pictures of environmental damage or they can no longer be seen?	! Berta Caceres
29	Chat message	3/2/2016 11:59:17 PM (UTC+0)	From: 50499110085@s.whatsapp p.net, WhatsApp (! Berta Caceres) To: 41786531266@s.whatsapp p.net, WhatsApp (! Yanik Sansonnens)	WhatsApp	We have not allowed entry here	! Berta Caceres
30	Chat message	3/2/2016 11:59:23 PM (UTC+0)	From: 50499110085@s.whatsapp p.net, WhatsApp (! Berta Caceres) To: 41786531266@s.whatsapp p.net, WhatsApp (! Yanik Sansonnens)	WhatsApp	Of mining companies	! Berta Caceres
31	Chat message	3/2/2016 11:59:31 PM (UTC+0)	From: 50499110085@s.whatsapp p.net, WhatsApp (! Berta Caceres) To: 41786531266@s.whatsapp p.net, WhatsApp (! Yanik Sansonnens)	WhatsApp	There are serious threats	! Berta Caceres
32	Chat message	3/3/2016 12:01:18 AM (UTC+0)	From: 50499110085@s.whatsapp p.net, WhatsApp (! Berta Caceres) To: 41786531266@s.whatsapp p.net, WhatsApp (! Yanik Sansonnens)	WhatsApp	Very serious	! Berta Caceres
33	Chat message	3/3/2016 12:01:31 AM (UTC+0)	From: 50499110085@s.whatsapp p.net, WhatsApp (! Berta Caceres) To: 41786531266@s.whatsapp p.net, WhatsApp (! Yanik Sansonnens)	WhatsApp	We know the topic, we can talk	! Berta Caceres
34	Chat	3/3/2016 12:02:23 AM	From: 50499110085@s.whatsapp	WhatsApp	But you will not find unless you have enough time to go to a	! Berta

	message	(UTC+0)	p.net, WhatsApp (! Berta Caceres) To: 41786531266@s.whatsapp p.net, WhatsApp (! Yanik Sansonnens)		place of the threatened	Caceres
35	Chat message	3/3/2016 12:38:37 AM (UTC+0)	From:	Whatsapp	Could you tell me about the threats? Could I call you tomorrow? Is it okay?	! Berta Caceres
4						
						
			41786531266@s.whatsapp p.net, WhatsApp (! Yanik Sansonnens) (assumed): 50499110085@s.whatsapp p.net, WhatsApp (! Berta Caceres)			
36	Chat message	3/3/2016 1:03:09 AM (UTC+0)	From: 50499110085@s.whatsapp p.net, WhatsApp (! Berta Caceres) To: 41786531266@s.whatsapp p.net, WhatsApp (! Yanik Sansonnens)	WhatsApp	Yes	! Berta Caceres
37	Chat message	3/3/2016 2:42:40 AM (UTC+0)	From: 41786531266@s.whatsapp p.net, WhatsApp (! Yanik Sansonnens) (assumed): 50499110085@s.whatsapp p.net, WhatsApp (! Berta Caceres)	WhatsApp	At what time?	! Berta Caceres
38	Call	3/3/2016 9:23:35 AM (UTC+0)	From: 41786531266@s.whatsapp p.net, WhatsApp (! Yanik Sansonnens) To: 50499110085@s.whatsapp p.net, WhatsApp (! Berta Caceres)	WhatsApp		! Berta Caceres
39	Chat message	3/3/2016 9:23:35 AM (UTC+0)	From: 41786531266@s.whatsapp p.net, WhatsApp (! Yanik Sansonnens) (assumed): 50499110085@s.whatsapp p.net, WhatsApp (! Berta Caceres)	WhatsApp	Incoming Call	! Berta Caceres
40	Chat message	3/3/2016 9:41:45 AM (UTC+0)	From: 41786531266@s.whatsapp p.net, WhatsApp (! Yanik Sansonnens) (assumed): 50499110085@s.whatsapp p.net, WhatsApp (! Berta Caceres)	WhatsApp	?	! Berta Caceres
41	• Call		From: _41786531266@s.whatsa pp.ne, WhatsApp (! Yanik Sansonnens)	WhatsApp		! Berta Caceres
42	Contact		! Yanik Sansonnens	WhatsApp	Yanik Sansonnens	! Berta Caceres

Other topics related to threats against Mrs. Berta from the conversations between the numbers 50496900009 of Carlos Juárez Juárez and 50499110085 Berta Cáceres, between messages 131 and 142 (Extract)

131	Chat message	11/3/2015 3:36:02 PM (UTC+0)	From: 50496900009@s.whatsapp p.net, WhatsApp (! Juarez Juarez Carlos) (assumed): 50499110085@s.whatsapp p.net, WhatsApp (! Berta Cáceres)	WhatsApp	If you know where José Vasquez lives, since he has an arrest warrant, because he has problems with you	! Berta Cáceres
132	Chat message	11/3/2015 3:36:20 PM (UTC+0)	From: 50496900009@s.whatsapp p.net, WhatsApp (! Juarez Juarez Carlos) (assumed): 50499110085@s.whatsapp p.net, WhatsApp (! Berta Cáceres)	WhatsApp	Here working	! Berta Cáceres
133	Chat message	11/3/2015 3:37:05 PM (UTC+0)	From: 50499110085@s.whatsapp p.net, WhatsApp (! Berta Cáceres) To: 50496900009@s.whatsapp p.net, WhatsApp (! Juarez Juarez Carlos)	WhatsApp	Just a moment	! Berta Cáceres
134	Chat message	11/3/2015 3:37:35 PM (UTC+0)	From: 50496900009@s.whatsapp p.net, WhatsApp (! Juarez Juarez Carlos) (assumed): 50499110085@s.whatsapp p.net, WhatsApp (! Berta Cáceres)	WhatsApp	Thank you or if you are around here we can meet	! Berta Cáceres
135	Chat message	11/3/2015 4:13:20 PM (UTC+0)	From: 50499110085@s.whatsapp p.net, WhatsApp (! Berta Cáceres) To: 50496900009@s.whatsapp p.net, WhatsApp (! Juarez Juarez Carlos)	WhatsApp	Do you have his full name??	! Berta Cáceres
136	Chat message	11/3/2015 4:17:34 PM (UTC+0)	From: 50496900009@s.whatsapp p.net, WhatsApp (! Juarez Juarez Carlos) (assumed): 50499110085@s.whatsapp p.net, WhatsApp (! Berta Cáceres)	WhatsApp	Do you have it already?	! Berta Cáceres
137	Chat message	11/3/2015 4:28:32 PM (UTC+0)	From:	WhatsApp	Jose ángel velaquez	! Berta Cáceres

						
			50496900009@s.whatsapp p.net, WhatsApp (! Juarez Juarez Carlos) (assumed): 50499110085@s.whatsapp p.net, WhatsApp (! Berta Caceres)			
138	Chat message	11/3/2015 4:41:19 PM (UTC+0)	From: 50499110085@s.whatsapp p.net, WhatsApp (! Berta Caceres) To: 50496900009@s.whatsapp p.net, WhatsApp (! Juarez Juarez Carlos)	WhatsApp	Excuse me, about what case?... There are so many	! Berta Caceres
139	Chat message	11/3/2015 4:59:15 PM (UTC+0)	From: 50496900009@s.whatsapp p.net, WhatsApp (! Juarez Juarez Carlos) (assumed): 50499110085@s.whatsapp p.net, WhatsApp (! Berta Caceres)	WhatsApp	Do I send the arrest warrant already	! Berta Caceres
140	Chat message	11/3/2015 5:00:24 PM (UTC+0)	From: 50499110085@s.whatsapp p.net, WhatsApp (! Berta Caceres) To: 50496900009@s.whatsapp p.net, WhatsApp (! Juarez Juarez Carlos)	WhatsApp	though this means?	! Berta Caceres
141	Chat message	11/3/2015 5:06:10 PM (UTC+0)	From: 50496900009@s.whatsapp p.net, WhatsApp (! Juarez Juarez Carlos) (assumed): 50499110085@s.whatsapp p.net, WhatsApp (! Berta Caceres)	WhatsApp	Yes	! Berta Caceres
142	Chat message	11/3/2015 5:06:28 PM (UTC+0)	From: 50499110085@s.whatsapp p.net, WhatsApp (! Berta Caceres) To: 50496900009@s.whatsapp p.net, WhatsApp (! Juarez Juarez Carlos)	WhatsApp	Yes, please	! Berta Caceres

Friendship relationship of Bertha Cáceres and David Castillo

I located a 144-page report consisting of conversations between Mrs. Bertha Cáceres and David Castillo with the first legible message dated July 27, 2013 at 3:34:47 UTC +0 and until February 18, 2016 6: 51:54 UTC +0, which is attached to this opinion.

In these conversations, an open and kind communication is observed, even denoting support between them.

CONCLUSION

The reports related to the collection of evidence that constitutes the main input for the study of data of message conversations through electronic means of the whatsapp application, SMS (mobile phones in this case), do not contain elements that imply criminal acts that allow us to link Mr. ROBERTO DAVID CASTILLO, based on the studies and interventions of the communications that the prosecutor has been carrying out, since the following points have been evident throughout the document prepared by the undersigned:

- a) In document ANALYSIS-DIVINV-DNII-No.0004-2016, conversations were found between page 14 to 16, assembled by mixing messages between users or different groups of users, omitting messages and inserting them, even when they are from different whatsapp groups and conversations, creating in this way, a conversation that seems to be real; but it is the product of the intercalation of messages of different contexts for being or belonging to other conversations, obtained from extractions of the telephone device allegedly confiscated from Mr. Sergio Rodríguez as mentioned on page 12. The above was verified through the extractions from the prosecutor.
- b) That the information contained in the seized equipment cannot be considered as authentic and reliable from the day of its seizure to date, given that the seized devices lacks value as potential digital evidence, since violations of ISO/IEC 27037 were committed for the preservation of potential digital evidence. With the above, the fragile and potential digital evidence is cannot be considered as true and certain. The basic points of the international standard ISO/IEC 27037 that have been breached from the moment of the legal seizure of the device include Reliability, Auditability, Repeatability, points that were already explained in the methodology section, and for this reason the evidence loses evidentiary value and it is essential not to alter the content of the devices any more, since it is impossible to determine the initial physical and logical state (digital information) thereof. With that being said, any information that is present in such devices, does not represent an authentic and indubitable result.

- c) It is not possible to obtain information that proves the planning or intention of carrying out an attack against Mrs. Bertha Cáceres or of any person at any date, because the meaning of the conversations appear in a conceptual order of apparent accusatory interpretation in the document ANALYSIS-DIVINV-DNII-No.0004-2016, while the true order of the information extractions shows that there is suppressed information, due to the alteration of the correlative order of the messages and due to the failure to observe the practices established in ISO 27037, the initial state of the information in the devices containing the source information under study cannot be known.
- d) There are conversations that denote a friendly relationship between Mr. David Castillo and Berta Cáceres, this between within the period from the first legible message dated July 27, 2013 at 3:34:47 UTC +0 to February 18, 2016 6:51:54 UTC +0
- e) Regarding the geographical **positions** referenced by means of the antennas or radio bases of the Tigo cell phone company that provided connection services, which place telephone number 99900946 at the sites of Toy Place, La Lara, La Hacienda II, Mall Multiplaza, La Lara II Remoto, Escuela Americana, also show that there is no link or relationship or any connection between Mr. ROBERTO DAVID CASTILLO and the events for which he is accused.

ANNEXES

- a. Extraction of the talks of the whatsapp group named Seguridad Phaz between the dates of October 28, 29 and 30 of the year 2015, November 9, 2015, and March 1 to 3, 2016. (note: the complete printing of the chat is omitted due to the fact that it already on the record, only for illustrative purposes)

- b. Extraction of the conversations of the whatsapp group named Coordinación Phaz between the dates of March 3, 2016 and March 16, 2016 (note: the complete printing of the chat is omitted due to the fact that it already on the record, only for illustrative purposes)
- c. Whatsapp conversations between Bertha Cáceres phone number 99110085 and David Castillo 99900946 between dates
- d. Whatsapp conversations between Bertha Cáceres telephone number 99110085 and Yanik telephone number 41786531266 between the dates of March 1 to 3 2016 07/10/2005 and 2/18/2016
- e. Whatsapp conversations between Bertha Cáceres telephone number 99110085 and Juan Juarez telephone number 96900009 dated March 11, 2015

SINCERELY,

MR. RUBEN EDUARDO CHAPA CABRERA
Official Expert in Information Technology and Telecommunications

TEGUCIGALPA, HONDURAS, APRIL 2, 2019